

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Grant E. DUBOIS et al. ) Group Art Unit: 1761  
)  
Application No.: 09/838,809 ) Examiner: Carolyn A. PADEN  
)  
Filed: April 20, 2001 )  
)  
For: NON CALORIC FROZEN ) Confirmation No.: 3526  
CARBONATED BEVERAGE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

VIA EFS-Web

Sir:

TRANSMITTAL LETTER

Enclosed is a Request for Continued Examination and Submission Under 37 C.F.R. § 1.116 in response to the Final Office Action of March 22, 2006. The items checked below are appropriate:

- ☒ Applicants hereby petition for a three (3) months extension of time to respond to the above Office Action. The fee of \$1,020.00 for the Extension is paid by EFS-RAM.


The claims are calculated below:

|   | Claims Remaining<br>After Amendment |   | Highest Number<br>Previously Paid | Present<br>Extra | Rate    | Additional<br>Fee |
|---|-------------------------------------|---|-----------------------------------|------------------|---------|-------------------|
| Total   | 84                                  | - | 91                                | 0                | x \$ 50 | \$ 0.00           |
| Indep.  | 5                                   | - | 10                                | 0                | x \$200 | \$ 0.00           |
| <input type="checkbox"/> First Presentation of Multiple Dep. Claim(s) |                                     |   |                                   |                  | +\$360  | \$ 0.00           |
| TOTAL   |                                     |   |                                   |                  |         | \$ 0.00           |

- ☒ The fee of \$790.00 to cover the Request for Continued Examination is paid by EFS-RAM.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Dated: September 22, 2006

By:  #55,830  
for Lori-Ann Johnson  
Reg. No. 34,498